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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,560	06/25/2003	Dirk Trossen	042933/263793	5459

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EXAMINER

GONZALEZ, AMANCIO

ART UNIT

PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/603,560

Applicant(s)

TROSSEN ET AL.

Examiner

Amancio Gonzalez

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 3, 5-9, 11, 13, 14, 16, 19, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US Pat 6968216), hereafter "Chen," in view of Boehmer et al. (US PGPub 20020025813), hereafter "Boehmer."

Consider claims 1, 14, and 19, Chen discloses a mobile station *in which a* starting action and an associated starting trigger time *is performed* (see col. 5 lines 6-15, fig. 2, where Chen discusses a mobile phone taking the action of modifying a ringer upon receiving a date and time). Chen discloses receiving a *date and time* information (see col. 5 lines 12-18, col. 6 lines 20-24). Chen discloses triggering the mobile station to perform a starting action at *an* associated starting trigger time (see col. 5 lines 19-26). Chen discloses performing a starting action (see col. 5 lines 35-43,

fig. 2 steps 204, 206 and 208, where Chen discusses the mobile starting the action of modifying the ringer upon receiving a date and a time information).

Chen discloses a method and device for facilitating a time-based action (**see the abstract, col. 5 lines 12-18**), but does not explicitly mention sending appointment information to a calendar application operating on a mobile station, wherein the appointment information includes an appointment. Boehmer discloses sending appointment information to a calendar application operating on a mobile station, wherein the appointment information includes an appointment (**see pars. 0044, 0048, where Boehmer discusses a mobile supporting calendar application and information including an appointment**).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Chen and have it include sending appointment information to a calendar application operating on a mobile station, wherein the appointment information includes an appointment, as taught by Boehmer, thereby integrating the scheduling function capability of a mobile communication device with centralized multiple network terminals, as discussed by Boehmer (**see pars. 0029-0048**).

Consider claim 9, Chen discloses an organizer (**organizer reads on *Personal Digital Assistant -PDA-* see col. 3 lines 38-45, col. 4 lines 1-10**). Chen discloses a mobile station *in which* a starting action and an associated starting trigger time *is performed* (**see col. 5 lines 6-15, fig. 2, where Chen discusses a mobile phone taking the action of modifying a ringer upon receiving a date and time**). Chen

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discloses receiving a *date and time* information (see col. 5 lines 12-18, col. 6 lines 20-24). Chen discloses triggering the mobile station to perform a starting action at an associated starting trigger time (see col. 5 lines 19-26). Chen discloses performing a starting action (see col. 5 lines 35-43, fig. 2 steps 204, 206 and 208, where Chen discusses the mobile starting the action of modifying the ringer upon receiving a date and a time information).

Chen discloses a method and device for facilitating a time-based action (see the abstract, col. 5 lines 12-18), but does not explicitly mention sending appointment information to a calendar application operating on a mobile station, wherein the appointment information includes an appointment. Boehmer discloses sending appointment information to a calendar application operating on a mobile station, wherein the appointment information includes an appointment (see pars. 0044, 0048, where Boehmer discusses a mobile supporting calendar application and information including an appointment).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Chen and have it include sending appointment information to a calendar application operating on a mobile station, wherein the appointment information includes an appointment, as taught by Boehmer, thereby integrating the scheduling function capability of a mobile communication device with centralized multiple network terminals, as discussed by Boehmer (see pars. 0029-0048).

Consider claims 3, 11, 22, Chen, as modified by Boehmer, teaches claim 1 above, and Chen further discloses performing an action triggered by and ending event (see Chen: col. 2 lines 25-35).

Consider claims 5 and 13, Chen, as modified by Boehmer, teaches claims 1 and 9 above respectively, and Chen further discloses a gateway capable of formatting the received information (formatting reads on *protocol translation* –see Chen: col. 3 lines 61-67, col. 9 lines 21-38, figs. 1, 6A).

Consider claims 6 and 7, Chen, as modified by Boehmer, teaches claim 1 above, and Chen further discloses and organizer and a mobile station (organizer reads on *Personal Digital Assistant –PDA-* see Chen: col. 3 lines 38-45, col. 4 lines 1-10).

Consider claim 8, Chen, as modified by Boehmer, teaches claim 6 above, and Chen further discloses protocol translation (*interpreting based upon a particular format reads on protocol translation* –see Chen: col. 3 lines 61-67, col. 9 lines 21-38).

4. Claims 2, 4, 10, 12, 15, 17, 18, 20, 21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US Pat 6968216), hereafter “Chen,” in view of Boehmer et al. (US PGPub 20020025813), hereafter “Boehmer,” as applied to claims 1, 3, 9, 11, 14, 19, and 22 above respectively, further in view of Kraft et al. (US Pat 6463278), hereafter “Kraft.”

Consider claims 2, 4, 10, 12, 15, 18, 20, 21, and 23, Chen, as modified by Boehmer, teaches claims 1, 3, 9, 11, 14, 17, 19, and 22 above respectively, but does not particularly refer to function controlling mode where acceptance or confirmation are

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requested. Kraft discloses a mobile phone with an incorporated calendar for function controlling mode where acceptance or confirmation are requested (see col. 2 lines 15-21, col. 6 lines 39-47, col. 7 lines 35-47). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Boehmer and Chen and have it include an incorporated calendar for function controlling mode where acceptance or confirmation are requested, as taught by Kraft, thereby assigning calendar functions to mode control in a communication device, as discussed by Kraft (see the abstract, col.

Consider claim 16, Chen, as modified by Boehmer and Kraft, teaches claim 15 above, and Chen further discloses a mobile station with a display (see Chen: abstract, col. 1 lines 63-67, col. 2 lines 1-9, fig. 1 element 118, figs. 4A-5D, and fig. 6B element 660).

Consider claim 17, Chen, as modified by Boehmer and Kraft, teaches claim 12 above, and Chen further discloses performing an action triggered by and ending event (see Chen: col. 2 lines 25-35).

Conclusion

5. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building

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401 Dulany Street
Alexandria, VA 22314

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amancio González, whose telephone number is (571) 270-1106. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm.

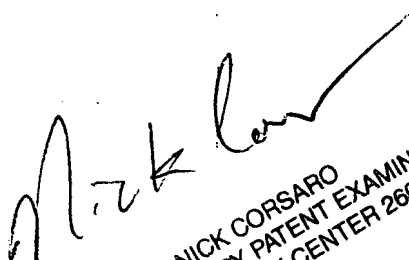
If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Amancio González
AG/ag

April 20, 2007


NICK CORSARO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600